

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

TRAVIS GABRIEL HISEL,

Plaintiff,

v.

CITY OF CLARKSVILLE,

Defendant.

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**Case No. 3:04-0924
Judge Echols**

ORDER

For the reasons set forth in the Memorandum issued contemporaneously herewith, the Court enters the following rulings:

(1) Defendant's Motion for Summary Judgment (Docket Entry No. 59) is hereby GRANTED IN PART and DENIED IN PART as follows:

(A) The Motion for Summary Judgment is GRANTED with respect to Plaintiff's (i) February 17, 2004 EEOC charge; (ii) discrimination claim; (iii) hostile work environment claim; (iv) malicious harassment claim; (v) outrageous conduct claim, and (vi) negligent infliction of emotional distress claim. Those claims are hereby DISMISSED.

(B) The Motion for Summary Judgment is DENIED with respect to Plaintiff's retaliation claim based upon his July 13, 2004 and April 13, 2006 EEOC charges of retaliation.

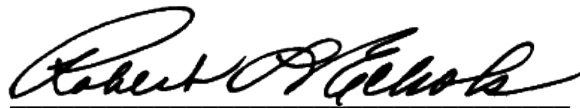
(2) Defendant's Motion to Allow Filing Supplemental Affidavit of Richard Stadler (Docket Entry No. 75) is hereby GRANTED;

(3) Plaintiff's Motion to Allow Supplemental Responses to Statement of Undisputed Facts (Docket Entry No. 80) is hereby GRANTED; and

(4) The Motions In Limine filed by the parties (Docket Entry Nos. 76, 78, 79 & 97) are hereby STRICKEN given this Court's ruling on the Motion for Summary Judgment which limits the issues to be tried in this case. The parties shall not merely re-file the Motions in Limine, but may re-file properly supported Motions in Limine which take into account this Court's rulings herein. Any such Motions in Limine shall be filed on or before Friday, March 9, 2007, with responses to be filed on or before Wednesday, March 14, 2007.

As previously scheduled, the Pretrial Conference in this case will be held on March 5, 2007 at 1:00 p.m., with the jury trial to commence on March 27, 2007 at 9:00 a.m.

It is so ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", written over a horizontal line.

ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE